

DISTRICT COURT (THIRD DISTRICT) [275]

CASE INDEX, 1871#1896.

1.5 cu. ft. (3 vols.) and 1 reel of microfilm

DESCRIPTION: The territorial CASE INDEX records the names of plaintiffs and defendants involved in court actions and provides assigned case numbers, facilitating clerical management of and access to the civil case files. Civil cases span the entire period (1871#1896). Criminal cases were indexed in this series from 1871 to 1882, when a separate filing arrangement for criminal case files was implemented. Information about most cases is limited to the name of the plaintiff, the name of the defendant, and the case number. Rarely is the date of filing recorded. The cause of action is mentioned only in proceedings pertaining to court business (grand jury lists and reports, orders summoning persons to serve as jurors, etc.), the probate of an estate, applications (such as name changes or corporate dissolution), and, rarely, petitions for extraordinary writs (habeas corpus, mandamus, and certiorari).

The Third District Court is restricted to adjudication of actions involving real property located within the Third Judicial District, those in which the defendant resides in the Third Judicial District, and those involving incidents occurring in the Third Judicial District.

ARRANGEMENT: The three successive volumes in which the index was kept between 1872 and 1896 are arranged chronologically. The earliest volume (1871#1889) spans nearly an 18-year period. The subsequent volumes cover much shorter periods#1889 to 1894 and 1894 to January 3, 1896. Index entries within the first two volumes are roughly alphabetical by the initial letter of the surname or corporate name of the plaintiff. The indexing scheme for the third volume was expanded to encompass the first two letters of the plaintiff's name while a few common letter combinations were further extended to the first three characters.

RESEARCH NOTE: The case number assigned by the court is essential to locate the desired case file. Researchers should first consult the index to plaintiffs to find the unique case

number corresponding to the appropriate case file. A desired case number may also be found using the surname index in the JUDGMENT DOCKETS (1871#1947), series 1671. Indexing began in 1872 with the practice of assigning a case number as documents initiating the case were filed with the court clerk. A small number of cases (fewer than 100) from 1871 were incorporated into the index. As a new index volume came into use, a few case numbers were recorded in both the old and new books. Not all plaintiffs and defendants are indexed. In cases where multiple plaintiffs and/or defendants are listed in the original document initiating the legal action, only one plaintiff and/or defendant name (the first listed) is entered in the index. As criminal cases are considered an offense against the public, the plaintiff may variously be recorded under such general appellations as "People," "United States," or "Territory of Utah." However, when a city is listed as the plaintiff (e.g., Salt Lake City vs. John Doe), it suggests a civil rather than a criminal matter. Entries for grand juries, petit juries, etc., may be found under "Jury" or "Venire."

RELATED RECORDS: The territorial CASE INDEX (1872#1896) indexes the CASE FILES (1851#1896), series 9802, filed prior to statehood. It was superseded in 1896 by the CIVIL CASE INDEX, series 6071, which indexes the CIVIL CASE FILES (1896#[ongoing]), series 1622. The surname index in the JUDGMENT DOCKETS (1871#1947), series 1671, provides an alternate way to obtain a desired case number.

CUSTODY HISTORY: The CASE INDEX was created and maintained by the clerk appointed by and serving at the pleasure of the judge of the district court. At statehood, the Salt Lake County Clerk was constitutionally designated as ex-officioclerk of the Third District Court in and for Salt Lake County. The county/district court clerk maintained custody of the index until being transferred to the Utah State Archives in 1968.

PROCESSING NOTE: Since 1983, indices have been listed as permanent records in the records retention policy of the Judicial Council. The CASE INDEX was microfilmed by the Utah State Archives in March 1972. These records were archivally processed by W. Glen Fairclough, Jr., in July 1996.

GAPS IN THE SERIES: No index to cases filed in the first 20 years of the Third District Court is known to exist.

CONTAINER LIST

Reel	Box	Description
1	1	1871#1889; 1#7,599
1	2	1889#1894; 7,590#14,016
1	3	1894#1896; 14,003#15,135